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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

The Board of Trustees, et al.,

NO. C 08-05107 JW

Plaintiffs,

**JUDGMENT**

v.

Robert Michael Spencer, et al.,

Defendants.

/

Pursuant to the Court's July 9, 2009 Order granting Plaintiffs' Motion for Default Judgment, judgment is entered in favor of The Board of Trustees, in their capacities as Trustees of the Laborers Health and Welfare Trust Fund for Northern California, Laborers Vacation-Holiday Trust Fund for Northern California, Laborers Pension Trust Fund for Northern California, and Laborers Training and Retraining Trust Fund for Northern California, and the Board of Trustees, in their capacities as Trustees of the Cement Masons Health and Welfare Trust Fund for Northern California, Cement Masons Pension Trust Fund for Northern California, Cement Masons Vacation-Holiday Trust Fund for Northern California, and Cement Masons Apprenticeship and Training Trust fund for Northern California, against Defendants Robert Michael Spencer d/b/a Thorcon Concrete and Thorcon Concrete.

The Court ORDERS as follows:

- (1) Defendants shall pay the Laborers Trust Funds \$3,163.30 in contributions and \$814.29 in liquidated damages and interest.

- (2) Defendants shall pay the Cement Masons Trust Funds \$2,024.09 in contributions and \$605.42 in liquidated damages and interest.
- (3) Defendants shall, for so long as they remain obligated to contribute to the Trust Funds, to submit monthly contributions reports and payments as required by the terms of the collective bargaining agreements and Trust Agreements.
- (4) Defendants shall pay Plaintiffs attorneys fees of \$4,912.50.
- (5) Defendants shall pay Plaintiffs costs of \$774.87.

The Clerk shall close this file.

Dated: July 9, 2009

  
James Ware

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Barry E. Hinkle courtnotices@unioncounsel.net  
3 Concepcion E. Lozano-Batista courtnotices@unioncounsel.net  
3 Patricia A. Davis courtnotices@unioncounsel.net

4 **Dated: July 9, 2009**

**Richard W. Wiking, Clerk**

6 **By: /s/ JW Chambers**  
7 **Elizabeth Garcia**  
7 **Courtroom Deputy**